

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CERTAIN UNDERWRITERS AT LLOYDS,
LONDON and PRIME INSURANCE
COMPANY,

Plaintiffs,
-against-

JOSE MENDOZA, NYC SECURITY
SERVICES, INC., AND JOHN DOE-
SECURITY GUARD, as yet unidentified,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 7/2/2024

20-CV-2939 (AT) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

As discussed at today's telephonic conference, plaintiffs must, no later than **July 12, 2024**, file a brief, limited to 10 pages, together with admissible evidence supporting their factual assertions, addressing the following issues:

1. Whether Joanna M. Roberto, Esq., who represents plaintiffs in this action, also represented defaulted defendant NYC Security Services, Inc. (NYC Security) in *Mendoza v. A-P 3964 Corp., et al.*, Index No. 158495/2018 (N.Y. Supreme Court, N.Y. Co.) (the Underlying Action).
2. Whether, in light of the discontinuance of Jose Mendoza's claims against NYC Security in the Underlying Action, (a) there is any live case or controversy remaining before this Court, *see U.S. Const. art. III*, and, if so, (b) whether the Complaint, filed in 2020, adequately apprises the defaulted defendant of that controversy.
3. Whether this Court may exercise subject matter jurisdiction pursuant to 28 U.S.C. § 1332, given that "Certain Underwriters at Lloyds, London" is an unincorporated syndicate and that plaintiffs have not identified the relevant syndicate members or pled their citizenship.

Dated: New York, New York
July 2, 2024

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge